

HUMAN RIGHTS SITUATION IN ERITREA

Submission to CCPR by Christian Solidarity Worldwide (CSW)

Introduction

1. Christian Solidarity Worldwide (CSW) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB).
2. CSW has been monitoring and researching developments in Eritrea since 2002, including conducted yearly interviews with refugees and their community leaders in four nations. Consequently this submission draws from research and from the detailed witness testimonies that were collated between 2003 and 2016.
3. CSW wishes to bring the following concerns and recommendations to the Committee's attention, in reference to the International Covenant on Civil and Political Rights (ICCPR).

Background

4. When Eritrea won independence from Ethiopia in 1991 following a lengthy war, there were high hopes it would become a beacon of democracy and good governance for the African continent. However, a costly post-independence war with Ethiopia depleted the country's resources; and the continuing tension caused by Ethiopia's resistance to the demarcation of an internationally-agreed common border has provided a pretext for the excessive militarisation of society and the effective institution of a perpetual war footing. Promised democratisation and elections have been deferred indefinitely in favour of rule by presidential decree.
5. Article 4 of the ICCPR states while that in a time of public emergency threatening the life of the nation, a country may take measures derogating from their obligations under the covenant, the country must ensure that these measures remain consistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin, nor may there be any derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 under this provision.
6. However, irrational fear on the part of the Eritrean government of any perceived threat to national unity has meant that the extensive rights enshrined within the unimplemented national constitution, which was drafted and ratified by the National Assembly in 1997, remain disregarded by the very government that oversaw its creation. Furthermore, the succeeding years have been characterised by comprehensive, large- scale and egregious violations of the rights of Eritrean citizens by the regime and its agents, in contravention to its international obligations.

Arbitrary detention: torture, cruel, inhuman and degrading treatment

7. Arbitrary detention is widely practiced in Eritrea and violates Article 9, 10 and 14 of the ICCPR; tens of thousands of Eritreans continue to be detained without charge or trial in life threatening conditions in more than 300 sites across the country where torture is routinely practiced. Prisoners are held in inhumane conditions, such as poorly ventilated metal shipping

containers or underground cells, and in the open air in desert areas surrounded by barbed wire or thorns.

8. Former prisoners report being forced to undertake extreme physical exercise, to stand for hours in the midday sun, and to endure beatings administered with electric prods, whips or pipes. Reports indicate that in every prison, beatings are administered routinely, systematically, frequently, and even casually on all prisoners, regardless of their creed or lack thereof. These can range from a single blow to any convenient part of the body administered merely to attract the attention of a prisoner as an alternative to calling his or her name, to lengthy pummellings with fists, stampings with feet, and blows with an iron rod known as a shafshafa or with any other implement nearby. Beatings are administered without regard to the vital organs or, indeed, the life of a prisoner. For example, one interviewee who had been caught attempting to cross the border reported watching in horror as his would-be guide received a blow to the head with the large metal buckle of a thick belt, which opened a huge gash as security personnel merely sought to elicit routine information. In another case, a female prisoner in Wi'a detention centre was reportedly paralysed following severe beating and inhuman treatment.¹
9. Torture is rife in detention centres and contravenes Articles 7 and 10 of the ICCPR, and in some cases, results in the violation of Article 6, the right to life. Reports persist of prisoners dying following torture, or after being denied life-saving medication or treatment after falling ill and refusing to recant their religion or belief as a precondition to accessing it.
10. CSW has also received credible reports of female prisoners regularly being beaten on the soles of their feet and their wombs for several hours, in an effort to render them barren. In her autobiography, gospel singer Helen Berhane vividly described the condition and aroma of a lady beaten so severely that her uterus prolapsed and hung from her body.² Ms Berhane herself was imprisoned in shipping containers in Mai Serwa Military Camp for 32 months, and endured numerous beatings, the last of which was administered with such ferocity it caused severe nerve damage, impairing her mobility. Several female prisoners experienced problems with their wombs after being forced to lie prostrate on baking hot ground for lengthy periods. Others have suffered sexual violence, including rape.
11. Former prisoners often describe being bound with ropes for days or weeks in contorted positions, such as 'the helicopter' (hands and feet tied behind the back, lying face down on the ground, usually in the open air for up to several weeks), or the 'Jesus Christ' (a position resembling crucifixion). There is also the 'Number Eight' position or 'Otto'. The victim is tied up with arms behind the back and wrists bound to the feet. A stick is then placed under the knees and supported on a framework on both sides horizontally, and the body is turned upside down with the feet exposed. The soles of the feet are then beaten with sticks or whips. Prisoners are also tied up and left in contorted positions for days or even weeks. In a particularly tragic case,

¹ Interviews conducted by CSW, 2010

² Helen Berhane (2009), *Song of the Nightingale: One Woman's Dramatic Story of Faith and Persecution in Eritrea*.

a young man named Habtom was reported to have had both arms amputated after having been bound in a torture position for an exceedingly extended period.³

12. The severe and systematic brutality meted out to Christian prisoners signifies an orchestrated effort to eliminate non-sanctioned denominations by every possible means, including through the extensive use of torture and comprehensive privations aimed at eliciting the forcible recantation of religion or belief. Deaths that ensue following such mistreatment could amount to extra-judicial killings; not only does this treatment contravene articles 7, 9 and 10 of the ICCPR, but it could also be deemed to be in contravention to the right to life under Article 6. Moreover, the entire detention system may constitute a crime against humanity. As with tens of thousands of other prisoners of conscience, none of these religious adherents have been formally charged or brought to trial (in contravention of Article 14 of the ICCPR), and all are now held pending a denial of faith. Some are released when privations and severe mistreatment have rendered them close to death. This is not an act of humanity; it is designed to relieve prison officials of caring for people deemed to be of no further use.
13. The experience of Reverend Tesfatsion Hagos, the leader of Rhema Church, detained in May 2004, is emblematic of this. After spending a month in Asmara's 4th Police Station, where he was able to receive food and clothing, he was held incommunicado for a year and seven months in Karchele Security Prison, where his hands were chained for a total of one year and ten months. He was deprived of blood pressure medication for two years, suffered regular brutal beatings, and was fed black tea and bread in the morning, a spoonful of lentils swimming in liquid for lunch and dinner (shared between eight people), and as a Saturday 'treat', received either unchewable meat or uncleaned intestine, which he ate "just for protein's sake". The severe and regular beatings caused him to lose the use of a kidney: "They used to only beat the bladder, kidneys, and the chest close to the heart, leaving no visible scars but inflicting the maximum internal damage." By 2010 his health had deteriorated significantly. When he was finally taken for medical treatment, the doctor told the authorities to take him away as he would die within three days.⁴ That was when he was released.
14. It has been reported that detained members of closed churches and other prisoners have been deliberately exposed to malaria-bearing mosquitoes. It has also been reported that imprisoned Christians held in Assab Military Prison were placed in 44-gallon drums and rolled in front of other prisoners. On some occasions they were compelled to walk barefoot over sharp rocks repeatedly for an hour. Some victims were reported to have become partially paralysed by physical assaults and torture.
15. According to a recent report, imprisoned Jehovah's Witnesses are subjected to special torture to force them to renounce their belief. Moreover, in a country where citizenry and soldiering are closely interrelated, some do not enjoy solidarity from fellow prisoners, in contravention of Article 14.⁵

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⁴ Interview conducted by CSW, 2010

⁵ Asmarino, 'Eritrea: 20 years and counting - the exceptional persecution of Jehovah's Witnesses', 3 September 2014 <http://asmarino.com/articles/3929-eritrea-20-years-and-counting-the-exceptional-persecution-of-jehovah-s-witnesses>

16. Members of the country's Muslim community have also been subject to arbitrary detention, torture and extra-judicially killed. For example, on 5 December 1994 several hundred Muslim men were detained either under the pretext of having links with the largely-Muslim opposition Eritrean Liberation Front (ELF), or of supporting an Islamist jihadi movement, or of having links with the Muslim Brotherhood in Sudan, or of opposing the government-installed Sunni Grand Mufti. Many endured torture; others simply 'disappeared' and around 150 are reported to have been killed extra-judicially.
17. Prisoners of all faiths and none are deprived of adequate food and water and timely access to medication. According to accounts, they are fortunate if they are given stone-hard bread and tea twice a day. Officially they are only allowed to go to the lavatory once a day, and can only bathe infrequently, usually in pools of stagnant water.

Forced Labour

18. Article 8 of the ICCPR states that "No one shall be required to perform forced or compulsory labour". While Section 3 a and b state that "this shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime", the covenant also outlines that this clause is only valid if the detention is in consequence of a lawful order of a court. As such, subjecting prisoners to forced labour in while indefinitely arbitrary detained without trial or charge contravenes Article 8 of the ICCPR.
19. In Eritrea, a number of prisoners held without trial or charge are assigned to forced labour. One Christian former prisoner informed CSW that he and other prisoners were forced to work on farms owned by the late General Wuchu, formerly a member of the president's inner circle. One of these farms was in a malarial zone, yet prisoners slept in the open air surrounded by thorns. Around 200 prisoners contracted cerebral malaria and one of them died. It was only then that the others, who were initially being treated only with Panadol (an over the counter analgesic), finally received appropriate treatment.⁶
20. *"After six months of terrible military training, on June 2007 I was assigned to one of their construction companies – [the Sawa Construction owned by the Ministry of Defence] to slave without any salary and rights."* - Interview conducted 2011
21. There were several reports of Christian and non-Christian detainees being sent to inhospitable parts of the country for extended periods, as severe punishment. Some had survived a spell in the notorious Wi'a detention centre, which is now closed. Others had been subjected to periods of hard labour in Bada, an area which lies in the Danakil Depression in eastern Eritrea, is 70m below sea level, and can experience life-threatening temperatures. According to witnesses, these areas were usually reserved for hardened criminals guilty of the most heinous crimes. Several people were reported to have died in such areas, while others lost their sanity.

⁶ Interview conducted by CSW, 2011

Arbitrary arrests and the denial of a right to a fair trial

22. Articles 9 and 14 of the ICCPR state that “no one shall be subjected to arbitrary arrest or detention” and that “everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law”, respectively. Moreover, Article 26 of the ICCPR further states that “the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground”, including religion or belief. However, members of Eritrea’s religious or belief communities suffer arbitrary detention and false accusations, and are even held incommunicado without trial or charge.

Jehovah’s Witnesses

23. Members of the Jehovah’s Witness movement have been subjected to severe mistreatment on account of doctrinal exigencies that meant they did not vote during the 1993 independence referendum, and later announced they would participate only in non-military aspects of national service, in line with conscientious objection. Those who had declined full military service were detained indefinitely, and those caught meeting clandestinely face detention and harassment, including children and geriatrics.
24. Between April 2016 and September 2017, six Jehovah’s Witnesses were arrested, three of them male and three of them female. One, a woman, has since been released. In July 2017, all Jehovah’s Witnesses held in in the Meitir Camp were transferred to Mai Serwa Prison outside of Asmara, where the conditions are said to be less harsh. On November 30, 2017, all 13 Witnesses detained in Sawa Camp were also transferred to Mai Serwa.
25. By the end of 2017 a total of 55 Jehovah’s Witnesses were reported to be imprisoned without trial or formal charges, in direct violation of Articles 9 and 14.⁷ Three of them, Paulos Eyassu, Isaac Mogos, and Negede Teklemariam, have been incarcerated since 1994. The number includes 12 people arrested during 2012 while attending a funeral, and 31 arrested in April 2014.
26. Two elderly Jehovah’s Witnesses are reported to have died in Mai Serwa Prison after years of mistreatment in early 2008. 76 year-old Habtemichael Tesfamariam died suddenly on 3 January, and is believed to have suffered a stroke. He leaves behind his wife, Leterberhan Bezabih, four sons and three daughters. Habtemichael Mekonen, aged 77, died on 6 March, reportedly due to kidney failure. He is survived by his wife, Mihret Ellias, a son and a daughter. Both had been detained arbitrarily since the Summer of 2008, and had suffered severe mistreatment from which they never recovered while being held at the notorious Metier detention centre.

⁷ Jehovah’s Witnesses, ‘Imprisoned for Their Faith’ www.jw.org/en/news/legal/by-region/eritrea/jehovahs-witnesses-in-prison/

Muslims

27. Arrests of members of Eritrea's Muslim community have also continued intermittently since 1994. For example, in 2004 a number of Eritrean Wahhabis were reportedly arrested, and continue to be held in unknown locations. On 13 and 14 August 2008, at least 40 Muslim clerics and scholars were arrested in the night by soldiers in Asmara, Senafe, Adi Keyh, Tsorona, Segeneiti, Dekemhare, Foro, Hadish, and Idafalo, and taken away in unmarked cars. All were from the Saho ethnic group. A mutiny took place on 21 January 2013 during which around 150 soldiers seized the state media house, EriTV, and allegedly broadcast a message demanding reform and the release of political prisoners. The leaders of this mutiny were allegedly labelled Islamic fundamentalists and al-Qaeda members by Yemane Gebreab, Head of Political Affairs.
28. On 20 October 2017, Hajji Musa Mohammed Nur, the nonagenarian respected Honorary President of Al Diaa Islamic School in Asmara, was arrested, along with several others for opposing the government's attempted expropriation of the Al Diaa private Islamic school in accordance with a 2014 plan devised by the Ministry of Education to transfer control of every school to local communities, and resisting pressure for female students to stop wearing the hijab. Transferring control to local communities would mean religious schools such as Al Diaa, which was established in the late 1960s and run by parent committees as a private Islamic school, would become nondenominational and open to the public.
29. On 31 October 2017, a rare protest against the arrests and the government-imposed restrictions broke out in Asmara at the arrest of Haji Musa. It was dispersed by truncheon-wielding members of the security services firing live ammunition. Hundreds were arrested, including students, most of whom were male and several of whom were minors. According to the Asmara-based activist network Arbi Harnet, the school has been "quietly" reopened and a few students and women have been released. However, some reportedly suffered mistreatment while in detention and at time of writing, an unknown number remain in custody.
30. On Saturday 3 March 2018, Haji Musa's family was informed he had died in Asmara's 5th Police Station, where he had been held since his arrest in 2017. Following his burial hundreds were arrested, mainly males, and some as young as 13. While family members did not receive formal notification of the arrest and detention of their loved ones, some have been able to find out their whereabouts through informal channels and deliver food and clothing.

Christians

31. Several hundred Christians are also currently thought to be detained indefinitely in Eritrea, but at its zenith this number was estimated to be as high as 3,000. During May 2017, 122 Christians from non-sanctioned churches were detained in a campaign that has been ongoing since the 2002 church closures. Forty-five were arrested in Adi Quala, including entire families, the elderly and a disabled woman. The arrests left 23 children without their parents. Fifteen people were rounded up in Gindae, while in Asmara, 45 people were arrested during one raid

and 17 during another, with more arrests said to be imminent.

32. As evidenced by the plight of the Muslim communities, authorized faiths also suffer repression. In a series of machinations that occurred between 2006 and 2007, the Patriarch of the Eritrean Orthodox Church, Abune Antonios was illegally removed from effective control of the Patriarchate, relieved of all administrative duties, confined to a ceremonial role, removed from his official residence and was placed under incommunicado house arrest after objecting to the increasing governmental interference in ecclesiastical affairs. In violation of canonical law, he was replaced by a government-compliant bishop.
33. The octogenarian patriarch is an insulin-dependent diabetic, and was initially reported to be held in an area that is a military cantonment. He requested to be moved to a monastery, but this was ignored. His reappearance in public during a church service on 16 July 2017 sparked speculation about his imminent release from house arrest and reinstatement. However, he was not permitted to speak during the service despite requesting to do so, and was rushed from the premises and placed in the new location. He currently resides in two rooms in the servants' quarters within the grounds of a villa occupied by two renegade Bishops, one of whom is eager to replace him. Church sources allege that while Patriarch Antonios is able to receive the occasional visitor, he is not permitted to discuss his situation with them. He is also being pressurised to resign in favour of the pro-government bishop.
34. Patriarch Antonios is not the only church leader suffering long-term arbitrary detention. Reverend Haile Naizge, chairman of the Full Gospel Church and Dr Kuflu Gebremeskel, chairman of the Eritrean Evangelical Alliance and visiting lecturer at Asmara University, were arrested in May 2004. They were initially held in police cells in Asmara, and are now believed to be detained incommunicado in Karchele Prison. Reverend Naizge's mother, who was seriously ill at the time of his detention, died without being allowed to see her son.
35. Three Orthodox priests detained during the third week of November 2004 also remain in prison. Dr Futsum Gebrenegus, Eritrea's only psychiatrist, Dr Tekleab Menghisteab, a highly respected physician (who until his day of arrest was the most senior physician at St Mary Psychiatric Hospital in Asmara), and Reverend Gebremedhin Gebregiorgis, an expert theologian, were involved in the renewal movement of the Orthodox Church (which the government disliked) and were based at the Medhane Alem Church. In February 2005 Dr Menghisteab was reported to be suffering from hypertension. Subsequent reports indicated that Dr Menghisteab had collapsed on at least one occasion and been taken to hospital after being deprived of medication. News of his ill health and hospitalisation reached his family via leaks from prison and hospital staff; however, they were not allowed to visit him. All three men are thought to be detained in Sembel Civilian Prison.
36. On 18 March 2005 police snatched Reverend Kidane Weldou, the Senior Pastor of Muluwengel Full Gospel Church, from the streets of Asmara. He was also a member of the Executive Committee of Gideons International, and is believed to be held in Karchele Prison.
37. Pastor Oqbamichael Teklehaimanot was among 67 people arrested on 9 January 2005 at a wedding ceremony in Barentu. While most of those detained at the same time as him were gradually released, Pastor Teklehaimanot was one of five people reported to have refused to sign papers renouncing their faith, and was subsequently subjected to solitary confinement

and extremely severe physical and emotional mistreatment.

38. In April 2016 Evangelical Lutheran Christians were arrested at prayer and in another incident Orthodox clergy were arrested. Moreover, despite the death in December 2015 of his illegitimate replacement Dioscoros, Patriarch Antonios has still not been released.
39. During 2017 pro-government Orthodox priests took part in house to house raids in several towns that resulted in the detentions of well over 100 Christians from unrecognised churches. Forty-five Christians, including entire families, elderly men and a disabled woman, were taken from their homes in Adi Quala town in the south of the country and transported to Adi Aglis detention camp. The arrests left 23 children without their parents. Fifteen Christians were arrested in Gindae town in the Northern Red Sea Region, in an operation that forced others to flee to safer areas.
40. In the Godaif district of the capital Asmara, 17 Christians were rounded up on 28 May 2017. Forty-five others, mostly women, had been rounded up a week earlier in another part of the city as they gathered at a party arranged by a recently married couple. 33 women were arrested at a prayer meeting and are being held in Nakura, a notoriously harsh prison island in the Dahlak Archipelago that was created by Italian colonialists in the late 19th Century to crush political dissent. Most are reported to be young mothers whose husbands are either military conscripts or are eking out an existence elsewhere..
41. In August 2017 Fikadu Debesay, a Christian mother of four who was detained in May 2017 during house to house raids in Adi Quala town, died in Metkel Abiet, a desert camp in the Northern Red Sea Region, following mistreatment. Her husband and oldest son, who were also detained, only found out about her death when they were released weeks later.
42. An increasing number of people are currently languishing in jail due to a practice known locally as 'atsnehaley'. This phenomenon gives an added dimension of irregularity to arbitrary detention, and essentially involves prison authorities detaining a person at the request of a government official, almost as a favour, and without being informed of the offence the person is supposed to have committed. Consequently, the detainee is held until whoever requested the imprisonment deigns to permit their release. However, since they are highly arbitrary, such arrests are not registered officially and detainees cannot be traced even by family members. Moreover, if the official that requested the detention is transferred, flees the country or meets an untimely end, such detentions can literally amount to life imprisonment.

Violations of the right to freedom of religion or belief (FoRB)

43. Article 18 of the ICCPR and Article 18 of the UDHR state that "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."
44. However, the Eritrean regime has a long-held ideological antipathy towards religion of any sort, appearing to have deemed religious adherence as a competing and dangerous allegiance, and a source of national division. This attitude was evident in policy documents drawn up by

the current regime in the 1970s, during its struggle for liberation. Furthermore, Objective 7 of the 1977 National Democratic Program of the Eritrean People's Liberation Front included an undertaking to 'strictly oppose all the imperialist-created new counter-revolutionary faiths, such as Jehovah's Witnesses, Pentecostal, Baha'i, etc,' and to 'legally punish' anyone attempting to use religion to sow discord or undermine the progress of the Eritrean people during or after the conclusion of the armed conflict.⁸

45. In its First Periodic Report to the African Commission⁹, the Eritrean government claims it seeks to maintain religious harmony by ensuring "Islamic or Christian fundamentalism that corrode the social fabric" are not allowed to "perturb" "religious tolerance and harmony". In reality, since independence the government has embarked on a course of repression that is so severe that it currently stands accused of the atrocity crime of persecution.¹⁰ The continued actions of the Eritrean government remain in direct contravention to Article 18 of the ICCPR.

Jehovah's Witnesses

46. Allegations contained within the Eritrean government's assertion that Jehovah's Witnesses politicized their religion, the movement are unsubstantive. In reality, members of the movement have been subjected to severe mistreatment on account of doctrinal exigencies that meant they did not vote in the 1993 independence referendum, and later announced they would participate only in non-military aspects of national service, in line with conscientious objection. Consequently, Jehovah's Witnesses were the first faith community to experience open repression.
47. In October 1994 a directive from President Afewerki effectively ended their civil, political, social economic and cultural rights; Jehovah's Witnesses could no longer access government employment, accommodation, schools, hospitals or other services generally available to Eritrean citizens. The Minister of Internal Affairs confirmed that by 'refusing to accept the government of Eritrea and the laws' Jehovah's Witnesses had 'lost their right to citizenship'. Most significantly, they were denied the official identity cards necessary for, among other things, registration of births, deaths and marriages, purchasing property, and gaining passports, internal and external travel permits, and commercial licenses. Not only is this in direct contravention of Article 18 of the ICCPR, but it also infringes on the rights to family life (Article 17) and to freedom of movement (Article 12). Some 250 families have fled the country while around 100 families were dismissed from government employment, and at least 36 families were evicted from their homes.

Muslims

48. As already illustrated, the Muslim community in Eritrea has also experienced open repression, with members of the community being subjected to arrests and torture. In addition, as part of its alleged campaign against jihadi theology the government has

⁸ Roy Pateman (1998), *Eritrea: Even the Stones are Burning*

⁹ 'Eritrea: Initial National Report (1999-2016), Prepared on the African Charter on Human and People's Rights (ACHPR)', <http://www.achpr.org/states/eritrea/reports/1st-1999-2016/>

¹⁰ Commission of Inquiry Report on Human Right in Eritrea
<http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/2016ReportColEritrea.aspx>

also closed certain Islamic educational institutions and charity organisations, including the Al Diaa Islamic School in Asmara. The government has attempted to expropriate the Al Diaa private Islamic school in accordance with a 2014 plan devised by the Ministry of Education to transfer control of every school to local communities, and resisting pressure for female students to stop wearing the hijab. Al Diaa was established in the late 1960s, and is run by parent committees as a private Islamic school. Transferring control to local communities would mean religious schools such as Al Diaa would become nondenominational and open to the public, and denies parents the liberty to ensure the religious and moral education of their children in conformity with their own convictions (Article 18 of the ICCPR).

Christians

49. Repression of the Christian community in Eritrea began in the 1990s as the government made efforts to control permitted denominations. By 1994 it had shut down the main publications belonging to the Roman Catholic Church, the Evangelical Lutheran Church, and the Orthodox Church, along with other Christian publications. This move predated the closure of independent secular media by several years.
50. Following the removal of the patriarch, the Eritrean government now controls the hiring and firing of Orthodox Church personnel, administering its finances and appointing the Church's highest administrative officials. Priests seen as sympathetic to the legitimate patriarch have been detained, harassed, forced out of the Church or conscripted.
51. Other visible indicators of repression initially appeared to only target elements of Protestantism, with the emergence of the Proclamation No. 73/1995 to Standardize and Articulate Religious Institutions and Activities in 1995. Among other things this limited activities and obliged the Protestant community to register all assets, including bank accounts, with the Department of Religious Affairs within the Ministry of Internal Affairs.
52. By 2001 the government began to close facilities owned by Charismatic/Pentecostal and Evangelical churches. May 2002 saw the harsh enactment of the 1995 law, with the Minister of Information and Culture issuing a decree obliging religious groups to cease all religious activities. The decree also obliged all religious groups except those belonging to Orthodox, Catholic and Lutheran Christianity or Sunni Islam, to officially register and function under the surveillance of the Department of Religious Affairs. A prominent church leader¹¹ interviewed by CSW after escaping the country described the reaction after Naizge called leaders and informed them their churches had to close: "There was no unity between the churches." While some leaders held negotiations with the authorities over the issue, others who disagreed with the request nevertheless went along with it, maintaining that the new government should be allowed to learn from its mistakes. A week later churches that had continued to meet were closed down by the authorities.
53. The churches were subsequently supplied with extensive registration requirement forms. The entire process was discriminatory, in that it did not apply to sanctioned groups. Despite the

¹¹ Interviewed in 2012

government's claim within the report submitted to the Commission that the information it sought were merely "basic requirements", in reality the registration form was excessively stringent and intrusive, in that it included demands for intimate detailed information on church members. Some churches complied and handed over all the information requested. Others supplied half a membership list, or merely listed details of leaders and their salaries. However, the Rhema, Hallelujah, Charisma, Philadelphia Churches and several others refused to comply, as their leaders were unsure of how the government would make use of what was essentially the private information of church-members.

54. Moreover, in hindsight, it appears the government never intended to register any of these churches; Meherte Yesus Evangelical Presbyterian Church, Faith Mission religious institutions in development work, the Seventh Day Adventist Church and the Baha'i movement are yet to receive accreditation despite having complied fully in 2002 and having satisfied every stipulated requirement.
55. The 2002 decree marked the acceleration of open repression, with the initiation of a campaign of arrests particularly targeting Evangelical and Charismatic or Pentecostal Christians that has continued since then with varying waves of intensity. Government forces have raided weddings, New Year celebrations, funeral wakes and other social gatherings to arrest those in attendance, which stands in contravention to Articles 22 and 23 of the ICCPR, the right to peaceful assembly and association. Children have been arrested along with their parents. In some instances entire households have been detained for holding private family devotional times in their homes and is a violation of both Article 17 and Article 18.
56. The repression has also been accompanied by hate speech from officials, with adherents equated with Islamist extremists and vilified as non-indigenous, sub-national, unpatriotic agents of foreign interests who seek to undermine public morality, cause a sectarian divide and destabilise the country in violation of Article 20 of the ICCPR which states that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". Muhyedin Shengeb, long-standing chair of the National Union of Eritrean Youths (NUEYS) until he was obliged to flee the country in 2004, assisted in stoking anti-Christian feeling. According to reports¹² in a speech delivered towards the end of the second war with Ethiopia, he is reported to have said that Eritrea's three enemies were Ethiopia, AIDS and evangelicals, and added that the country would rid itself of each one of them. The government also encouraged neighbours to spy on each other and report church-related gatherings.
57. A 2011 report indicated that following Patriarch Antonios' removal as head of the Eritrean Orthodox Church, around 1,700 Orthodox clergy of all ranks were forced out of the church; 1,350 were forcibly conscripted, 23 were detained, 14 were banned from entering the compound of any church, seven were not allowed to leave the confines of Asmara and a significant number had fled the country, including 49 lay workers, 32 monks and five nuns. In addition, the government confiscated the Church's historical artefacts, and around 1,500 churches were reportedly slated for closure. Along with elderly civilians, serving Orthodox clergy are reportedly being forced to carry AK- 47 machine guns in violation of religious tenets,

¹² Refugee testimonies 2003-2015

as part of government policy. An increasing number continue to leave the country.

58. A November 2014 visit to Ethiopia by CSW coincided with the arrival at Endabaguna Refugee Reception Centre of 15 Orthodox monks in full regalia, hailing from seven different monasteries including Mariam Debre Sina, Mariam Dearit and Gedam Tsaedanaba. The monks maintained that monasteries were being destroyed throughout the country and the government was insisting monks surrender a share of any income they may receive. The monks had discussed available options, and had ultimately decided to flee.
59. Pro-government Orthodox deacons are often at the forefront in the harassment of members of unrecognized churches. In 2016 a Christian informed CSW that once it was discovered the home he was renting was being used as a house church, Orthodox deacons led the harassment, asking the owner of the house in which he and his family were living to evict them - in violation of Article 17. The family had to move house on two or three occasions. In addition, whenever water was distributed in barrels – Eritrea has experienced a severe water shortage - the family did not receive any. The government also distributes special coupons for the purchase of subsidized food. Whenever the family sought to use them, they were stopped and officials would say “This is a “Pente” (a derogatory term for Pentecostals). One young woman, who had converted to Christianity during a meeting held on New Year’s Eve in December 2015, was deprived of her food coupons after she was seen going into their home.
60. After effectively seizing control of the Orthodox Church and harassing the Catholic Church, in 2014 the Eritrean government moved against the third officially recognised denomination, arresting five men who were set to be ordained in the Evangelical Lutheran Church. Security agents in Asmara were reported to have arrested Petros Yosief, Bemnet Tesfay, Aklilu Tesfay, Ermias Hadgu and Aron Mehretu shortly after the church announced they were to be ordained.
61. In September 2017, the Education Minister for the Central Region (Zoba Ma’ekel) wrote to the Director of the Medhane Alem Seminary School in Asmara, which provides religious education to aspiring priests and nuns of the Catholic Church. The letter demanded the closure of the school and a list of all of its students. The letter was copied to the Minister of Education, the office of the Eritrean Police and the Chief of Police of Zoba Ma’ekel, and cited Proclamation 73 of 1995, which defines and regulates the activities of religious groups.
62. Amongst other things, the proclamation states that the provision of social amenities rests within the remit of the government, while religious organisations should confine themselves to attending to the spiritual wellbeing of adherents. Following an unfruitful appeal to officials, church leaders decided not to close the school. The government’s response was to close the school in October 2017 and to detain Abba Haile Paulos, a diocesan priest who volunteered to take the place of the school’s director, and Sr. Tinsae, a Comboni nun. Both were reportedly released weeks later. However, the school remains closed and the government is also alleged to have transferred students to “other schools”, although some are believed to have been sent to military service.
63. In addition, six health clinics run by the Catholic Church across the country were closed between November and December 2017.

Violations of FoRB in Military Service

64. In 1997 a letter was circulated within the Ministry of Local Government outlining a decision to exempt all clergy from military service, and by 1999 clergy were issued with identification (ID) cards exempting them from military service. However, in due course, a circular dated 4 July 2005 and issued by the Department of Religious Affairs, officially revoked the exemption of all clergy from military service, ordering every able-bodied priest, deacon and monk within a wide age range to report for military service. The government also issued a limited number of new ID documents. All who did not receive one were obliged either to report for military service or flee the country.
65. Pressure regarding conscription was exerted on the Roman Catholic Church in late 2005, necessitating an intervention by Pope Benedict, who requested that “the right to exemption from military service be respected” by the government. In June 2006 the country’s three Catholic bishops were reported to have informed the government that the bearing of arms was ‘not in accordance’ with the role of clergy. In March 2007 it was reported that the Church had not only refused to supply the government with a comprehensive list of clergy and their whereabouts, but was also resisting a request to either reduce their number or send them to the military.
66. Five months later the government issued an ultimatum ordering that control of Catholic-run schools, clinics, orphanages and women’s vocational training centres be handed over to the Ministry of Social Welfare and Labour. In November 2007, 13 foreign Catholic charity workers were effectively expelled from the country. Although Eritrean Catholic clergy are allowed to visit Rome in limited numbers for religious purposes and training, the conscription of seminarians and other church workers reportedly occasioned a personnel shortage, with some workers conscripted in 2008 still serving in training camps.
67. During the November 2014 visit CSW received an unconfirmed report from a generally credible source indicating that nuns were being required to undertake military training, and if they refuse, they were jailed or obliged to pay 30,000 nakfa (approximately £1,280).
68. Testimonies collated by CSW consistently illustrate that official hostility for ‘counter-revolutionary religions’ deepened during the 1990s, when the country’s youth began to embrace Charismatic styles of Christianity, and to attend newer, but indigenous and independent Protestant churches in increasing numbers. They continued to serve their country without hesitation; however, the fact that comparatively fewer young people were attending government youth events appears to have caused alarm in official circles. Consequently, young Christians were the first sector to experience the campaign of repression, particularly during military service. Upon entering military training camps recruits report being discouraged routinely from participating in prayer, Christian gatherings (fellowship) and reading the Bible. Those caught doing so faced severe consequences. Denying religion and faith groups the right to partake in religious practices violates Articles 18, 19, 21 and 22 of the ICCPR).
69. Reports received by CSW indicate that Christians found participating in religious practices while in the armed forces during the 1990s were being subjected to varying degrees of mistreatment. At the lower end of the scale of severity, they were deprived of their allowances and their terms of military service were extended indefinitely. CSW has heard several accounts

of Christians being tied up and left outside in cold and/or muddy conditions for hours if not days, and being harangued before an entire camp in order to humiliate them. Military punishment— extended, vigorous exercise over and above normal military training – was a regular penalty, as were canings and the imposition of excessive additional duties to already burgeoning workloads.

70. As more severe punishment, Christians and others deemed to have contravened army commands were placed in military detention. While all such prisoners were from time to time subjected to verbal abuse, physical mistreatment and humiliation, non-Christian prisoners were encouraged to despise Christian ones, and were rewarded for informing on those who prayed or met together while in detention.
71. CSW was informed of the existence of special punishment units. Several Christians spoke of being locked for extended periods in cramped, poorly ventilated cells, sometimes alone, sometimes with many others. One interviewee was detained with 131 others in a room so small that inmates slept with their legs tangled together. Some told of being placed for extended periods in a special punishment cell known as a sheila, a 2mx2m room with no light. Such conditions had a detrimental effect on the physical and mental wellbeing of detainees. At least one person was reported to have been paralysed after being thus confined, while others were said to have become insane.
72. If caught taking part in further Christian activities while in detention, prisoners were subjected to severe beatings. In some cases much needed medical treatment was denied or delayed. Christians were also denied basic necessities. CSW was informed of one case where Christian female prisoners were deprived of the right to bathe and of sanitary provisions during their monthly cycles, while being forced to undertake military discipline during the midday heat. The violations suffered by those in detention contravene Articles 7 and 9 of the ICCPR.
73. Several interviewees confirmed reports received earlier by CSW that during the 1998 war with Ethiopia, Christians were regularly sent to the fiercest parts of any battle in order to test their loyalty and will to fight, and to eliminate them.
74. Former prisoners also confirmed that in many instances Christian prisoners were set free after signing documents in which they agreed to take no further part in Charismatic/Evangelical practices. One young Christian was even obliged to sign a document stating that she would face death if caught participating in any such activities.
75. *“Around 120 of us met together...This is when the persecution started. The commander began intimidating us coming in and taking us out and told us not to continue with it. We were determined to continue because we thought it was his own idea to stop us, not the Government’s decision.”* - Interview with ‘A’, conducted in 2006
76. Government antipathy towards certain denominations also emerged during its campaign against the students of Asmara University, the nation’s only university, which is now closed. The officers and members of the thriving Student Christian Fellowship were severely harassed as the government attempted to take over the organisation’s rented building and hand it to the National Union of Eritrean Youth and Students (NUEYS). They were eventually detained

along with the rest of the student body in 2001.¹³

77. A refugee who served as military personnel in Sawa informed CSW that in 2000 the NUEYS presented a 60 page proposal on how to destroy Christianity in Eritrea, during a meeting convened in Afhimbol that was attended by the president himself.
78. *"They feared Christians; they saw them as a party that will take over power and so had to be destroyed. They claimed all Christians were lazy; that they don't want to fight or be killed; therefore the plan was to attack them firstly by closing Asmara University because there was a big revival there. It was closed six months later. Secondly, by closing down the churches, starting with those in villages and in small towns before moving to the main cities, and finally, in Asmara. The government then wrote to all the pastors, alerting them of imminent closure, but took no action. They began the plan and within a year, they had reached Asmara. Naizge Kuflu was in charge of the operation."*¹⁴
79. At that time the late Naizge Kuflu was Minister of Information and Culture; he also played a key role in suppressing the free press in contravention of Article 19 of the ICCPR, which states that everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.¹⁵

Conclusion

80. The International Covenant on Civil and Political Rights (ICCPR), in accordance with the Universal Declaration of Human Rights (UDHR), recognises the inherent dignity of every person and the equal and inalienable rights afforded to all. To guarantee this, every person must enjoy civil and political freedom without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. CSW has documented violations to the right to FoRB, along with violations of the right to freedom of expression, association and assembly, as well as reporting on the torture, arbitrary arrests and extra-judicial killings of Eritrean citizens. CSW urges the Committee on the CCPR to note the contents of this report and to act in accordance with international obligations to ensure measure are put in place to ensure the Eritrean government protects and upholds the rights of all its citizens.

Recommendations

81. Urge Eritrea to implement its ratified constitution and to fully enact all rights enshrined within it;
82. Urge Eritrea to ensure the full enjoyment of the right to freedom of religion or belief for all citizens in accordance with its constitution and international statutes to which it

¹³ Testimony from student leader, 2005

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is party, including the African Charter on Human and Peoples Rights (ACHPR), and the International Covenant on Civil and Political Rights (ICCPR);

83. Urge Eritrea to grant immediate and unhindered access for the International Committee of the Red Cross (ICRC) and/or any other competent body to long-term detainees in order to assess their wellbeing and ensure the conditions in which they are held meet UN minimum standards;
84. Urge Eritrea to end enforced disappearance, arbitrary arrest and indefinite detention without charge or trial, and bring all long-term detainees before recognised courts of law in the presence of international observers, or release them. All detainees subjected to arbitrary and irregular detention, such as those held under the *atsnehaley* policy, should be released immediately. Eritrea must also be urged to adhere to the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa;
85. Urge Eritrea to end incommunicado detention, and grant access for all detainees to immediate family members, timely medical treatment and legal representation;
86. Urge Eritrea to immediately enact the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Eritrea has already acceded to the ICCPR and ACHPR, both of which prohibit the use of torture. Eritrea must also be encouraged to enact the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa, and to ensure the right to redress in accordance with General Comment 4 (Article 5) of the ACHPR;
87. Urge Eritrea to extend invitations to relevant special mechanisms of the AU and UN special mandate holders, including the UN special rapporteur on Eritrea, enabling them to conduct unhindered, thorough, independent and impartial human rights investigations;
88. Support the renewal of the mandate of the UN special rapporteur on the situation of human rights in Eritrea.